

Date: October 1, 2013

# Memorandum



To: Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

From: Carlos A. Gimenez  
Mayor

Agenda Item No. 3(B)(11)

Subject: Ratification of Acceptance and Execution of Federal Aviation Administration Grant under AIP No. 3-12-0047-017-2013 in the amount of \$60,503.00 for Wildlife Hazard Assessment at Opa-locka Executive Airport

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution ratifying the action of the Mayor or Mayor's designee, pursuant to provisions of the Miami-Dade Aviation Department's (MDAD) Expedite Ordinance No. 95-64, codified as Section 2-285(6) of the Code of Miami-Dade County, in accepting and executing the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP) Grant Agreement No. 3-12-0047-017-2013 in the amount of \$60,503.00 to conduct a wildlife hazard assessment at Opa-locka Executive Airport (OPF).

## SCOPE

Opa-locka Executive Airport is located within Commissioner Barbara J. Jordan's District 1; however, the impact of this item is countywide as OPF is a regional asset.

## FISCAL IMPACT

The FAA is contributing 90% of the estimated planning cost of \$67,226.00 to conduct this wildlife hazard assessment. MDAD will fund the remaining \$6,723.00 from its operating budget.

## TRACK RECORD/PROJECT MONITOR

The project will be managed by Aviation Environmental Planner Norman Hegedus. The grant will be managed by MDAD Chief of Grants Norma Mata.

## BACKGROUND

On August 2, 2013, MDAD submitted its application for federal assistance to comply with Title 14, Code of Federal Regulations, Part 139.337, under which MDAD must assess the risk and magnitude of wildlife hazards at OPF and ensure the airport maintains a safe operating environment.

This assessment will include: a review of past wildlife strike data and observations at the airport; wildlife observation data collected for a 12-month period; an analysis of that data in relation to aircraft activity; and recommendations to decrease potential wildlife aircraft incidents. The report will be forwarded to the FAA for review and comment upon completion.

A handwritten signature in cursive script, appearing to read "Jack Osterholt".

Jack Osterholt, Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** October 1, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 3(B)(11).

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 3(B)(11)  
10-1-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; RATIFYING ACTION OF MAYOR'S DESIGNEE IN APPROVING AND EXECUTING, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF MIAMI-DADE COUNTY'S CODE, FEDERAL AVIATION ADMINISTRATION GRANT NO. 3-12-0047-017-2013 IN THE AMOUNT OF \$60,503.00 FOR THE COUNTY TO CONDUCT A WILDLIFE HAZARD ASSESSMENT AT THE AIRPORT

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, copies of which are incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves, ratifies and confirms the actions of the Mayor's designee, pursuant to the provisions of Section 2-285(6) of the Miami-Dade County Code, in approving and executing the Federal Aviation Administration (FAA) Grant No. 3-12-0047-017-2013 in the amount of \$60,503.00 for the County to conduct a Wildlife Hazard Assessment for Opa-locka Executive Airport, and authorizes the Mayor or Mayor's designee to monitor the administration of the grant and exercise the County's rights thereunder.

The foregoing resolution was offered by Commissioner  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairwoman thereupon declared the resolution duly passed and adopted this  
1<sup>st</sup> day of October, 2013. This resolution shall become effective ten (10) days after the date of its  
adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an  
override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



David M. Murray



Commercial Airports  
Miami International Airport

General Aviation Airports  
Dade-Collier Training & Transition  
Homestead General  
Kendall-Tamiami Executive  
Opa-locka Executive

Miami-Dade Aviation Department  
P.O. Box 025504  
Miami, Florida 33102-5504  
T 305-876-7000 F 305-876-0948  
www.miami-airport.com

miamidade.gov

August 28, 2013

Mr. Bart Vernace, P.E., Manager  
FAA, Orlando Airports District Office  
5950 Hazeltine National Drive  
Citadel International Building, Suite 400  
Orlando, Florida 32822-5024

VIA E-Mail /FEDEX

RE: Acceptance of Grant Agreement  
AIP No. 3-12-0050-010-2013  
"TMB Conduct Wildlife Hazard Assessment (WHA) at Kendall-Tamiami  
executive Airport"

Dear Mr. Vernace:

Enclosed please find original copy of the signed acceptance of the above mentioned grant agreement.

Miami-Dade Aviation Department (MDAD) would like to use the Letter of Credit method to facilitate the payment to the County.

If you have any questions, please call me at (305) 876-8080.

Sincerely,

Jose A. Ramos, R.A.  
Division Director, Aviation Planning, Land-  
Use and Grants

JR/ak  
Attachment

cc: N. Mata  
K. Ritchey  
D. Richardson

MIA FAA 010 2013 Transmittal Ltr to Bart Vernace Acceptance Letter



# GRANT AGREEMENT

U. S. Department  
of Transportation  
Federal Aviation  
Administration

Date of Offer: August 16, 2013  
Project Number: 3-12-0050-010-2013  
Recipient: Miami-Dade Board of County Commissioners (Herein called Sponsor)  
Airport: Kendall-Tamiami Executive Airport

## OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, ninety percent (90%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Conduct Wildlife Hazard Assessment"

as more particularly described in the Project Application dated August 2, 2013.

The maximum obligation of the United States payable under this Offer shall be \$60,503 for planning.

This offer is made in accordance with and for the purpose of carrying out the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 of the United States Code, constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

Manager, Airports District Office

## SPECIAL CONDITIONS

None

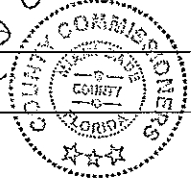
## ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated April 3, 2013. The Sponsor specifically acknowledges that knowingly and willfully providing false information to the Federal Government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject the Sponsor's Designated Official Representative to fines, imprisonment or both if the U.S. Department of Justice determines the official acted outside the scope of his/her duties.

Executed this 27th day of Aug, 20 13  
(Seal)

Attest

Title



Name of Sponsor

Signature of Sponsor's Designated Official Representative

Title

## CERTIFICATE OF SPONSOR'S ATTORNEY

I, THOMAS P. ABBOTT, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Signature of Sponsor's Attorney

8/28/13  
Date



# GRANT AGREEMENT

U. S. Department  
of Transportation  
Federal Aviation  
Administration

COPY

Date of Offer: August 16, 2013  
Project Number: 3-12-0050-010-2013  
Recipient: Miami-Dade Board of County Commissioners (Herein called Sponsor)  
Airport: Kendall-Tamiami Executive Airport

## OFFER

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"Conduct Wildlife Hazard Assessment"

as more particularly described in the Project Application dated August 2, 2013.

The maximum obligation of the United States payable under this Offer shall be \$80,503 for planning.

This offer is made in accordance with and for the purpose of carrying out the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 of the United States Code, constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

*[Signature]*  
Manager, Airports District Office

SPECIAL CONDITIONS  
None

## ACCEPTANCE

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Executed this 27th day of Aug, 2013  
(Seal) *[Signature]*  
Attest *[Signature]*  
Title *[Signature]*



Name of Sponsor *[Signature]*  
Signature of Sponsor's Designated Official Representative  
Title

## CERTIFICATE OF SPONSOR'S ATTORNEY

I, THOMAS P. ABBOTT, acting as Attorney for the Sponsor do hereby certify:

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*[Signature]*  
Signature of Sponsor's Attorney

5/25/13  
Date

COPY